THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.5283 of 1999

Dated : 05.06.2007

Between:

N.Dolendra Prasad S/o N.V.S.Raghavaiah

... **PETITIONER**

And:

The Chairman, Privileges Committee,
A.P. Legislative Assembly, Hyderabad and another.

....**RESPONDENTS**

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.5283 of 1999

ORDER:

Petitioner, who is the Editor of Zamin Ryot Telugu Weekly, Nellore, filed the present writ petition seeking a Mandamus declaring the action of the second respondent in issuing notice dated 18.02.1999 to him to appear before the committee of privileges, on the basis of a privilege motion given by Sri Y.Sreenivasul Reddy, MLA and others against him for publishing a news item in Zamin Ryot Telugu Weekly on 06.11.1998 as illegal and arbitrary as there is no breach of privilege involved in the news item published in the said Weekly dated 06.11.1998, and consequently set aside the proceedings initiated against the petitioner before the first respondent.

While ordering notice before admission on 16.03.1999, this Court granted interim stay as prayed for, and thereafter, as no counter was

filed, this Court issued rule nisi and extended the interim stay granted on 16.03.1999. Despite service of notice, the respondents have not chosen to file any counter.

Heard the counsel for both the parties.

A perusal of the record shows that the petitioner appears to have published a news item in Zamin Ryot Telugu Weekly on 06.11.1998 stating as follows.

Having regard to the fact that two assemblies have been constituted thereafter, this Court is of the view that the said privilege motion initiated against the petitioner may not survive, and thus this writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous, however, if any privilege motion is initiated against the petitioner, it is open for him to question the same by filing a fresh writ petition. There shall be no order as to costs.

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05.06.2007

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